

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-7834**

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CARLOS CALDERON,

Plaintiff - Appellant,

versus

BISHOP L. ROBINSON, individually and in his official capacity as Secretary, DPSCS; RICHARD A. LANHAM, individually and in his official capacity as Commissioner, DPSCS; ALVIN G. JOHNSON, individually and in his official capacity as Correctional Officer IV of the Maryland Department of Corrections at MTSC; RICHARD SINGLETARY, Security Chief; T. RUFFIN, CO III; T. BOWLING, CO IV, each individually and in their official capacities as officers of the Maryland Department of Corrections; WILLIAM L. SMITH, Warden; HOLLIS S. THOMPSON, Asst. Warden; LUKE MONTGOMERY, CO V; ANDREW J. JOHNSON, CO IV; ALICIA SHELTON, CO IV; K. HAIRSTON, CO III; C. DORSEY, CO II; JOHN SANDERS, CO II; BARRY FLACK, CO I; L. BROWN, CO II; STEPHEN MCDONOUGH, CO I; S. KELLY, CO I; R. BROSEKER, CO II; G. LUTZ, CO V; T. JEFFRIES, CO VI, each individually and in their official capacities as officers of the Maryland Department of Corrections,

Defendants - Appellees.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Peter J. Messitte, District Judge. (CA-96-3316-PJM)

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Submitted: March 13, 1997

Decided: March 20, 1997

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Before HALL, ERVIN, and WILKINS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Carlos Calderon, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant appeals from the district court's order dismissing his Eighth and Fourteenth Amendment claims against all Defendants, but maintaining his claim of deliberate indifference to medical needs under 42 U.S.C. § 1983 (1994). We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We dismiss the appeal as interlocutory. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED